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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/757,239

01/13/2004

Denny Jaeger

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04/26/2006

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EXAMINER

HAILU, TADESSE

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 04/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/757,239	Applicant(s) JAEGER, DENNY	
	Examiner Tadesse Hailu	Art Unit 2173	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 January 2004.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-9, 16-20, 22-24, 31-35 and 37-39 is/are rejected.
- 7) ☒ Claim(s) 6, 10-15, 21, 25-30, 36 and 40-45 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/11/06</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This Office Action is in response to the patent application (10/757,239) filed on January 13, 2004.
2. The examiner acknowledges and considers the Information Disclosure Statement filed on April 11, 2006.
3. The pending claims 1 through 45 are examined herein as follows.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5, 7-9, 16, 17-20, 22-24, 31-35, and 37-39 are rejected under 35 U.S.C. 102(b) as being anticipated by Maejima et al (US Pat No. 5,335,339).

Maejima is related to a method, system and storage medium for displaying on a display screen a simulated behavior specification of a real time system, such as typical communication system or an exchange system.

With regard to claims 1, 16 and 31:

Maejima discloses a method for sending and receiving electronic messages (abstract, Figs. 2A, 2B, and 11). As illustrated in the Figures, messages are exchanged between two individuals, for example, person 202A, and person 202B.

Maejima discloses displaying a graphic representation of a destination on a

display device to deliver an electronic message (column 15, lines 54-56, Figs. 2B and 11, #202B). As illustrated in the Figs. 2B or 11, 202B is the destination of a message originated from 202A.

Maejima discloses drawing a graphic directional indicator to said graphic representation on said display device (column 6, lines 31-43, column 8, lines 62-column 9, lines 4, Figs. 2B and 11). As illustrated in Figs. 2B and 11, the "LINE" 204, which connects 202A and 20B is the directional indicator (i.e., horizontally connecting two persons).

Maejima discloses performing a function associated with said graphic directional indicator in response to a user input to send at least one graphic element displayed on said display device to said destination as part of said electronic message (column 10, lines 40-55, Fig. 11, #220). As illustrated in Fig. 11, the functions (menu items) within command menu 220 can be applied to any selected symbol or graphic object.

With regard to claims 2, 17 and 32:

Maejima discloses that the drawing of said graphic directional indicator includes drawing an arrow to said graphic representation on said display device. (Column 13, lines 40-58).

With regard to claims 3, 4, 18, 19, 33 and 34:

While Maejima describes communication network (column 6, lines 20-30) including multi-functional telephones incorporated with the network, wherein each displayed telephone set (graphic object) has its own phone number (network address).

With regard to claims 5, 20 and 35:

Maejima discloses that said drawing of said graphic directional Indicator intersects at least one graphic object displayed on said display device (column 10, lines 40-55, column 13, lines 40-58, Fig. 11). For example, as illustrated in the Fig. 11, the graphic object "EXCHANGE" 205 intersects with the directional indicator, "LINE" 204.

With regard to claims 7, 22 and 37:

Maejima discloses that said performing of said function includes saving said graphic element to send as part of said electronic message (column 3, lines 18-31, column 6, lines 66-column 7, lines 10).

With regard to claims 8, 23 and 38:

Maejima discloses that said graphic element is a graphic object in a computer-operating environment (Fig. 2B, #205, 206, etc).

With regard to claims 9, 24 and 39:

Maejima discloses that the performing of said function includes saving a system state of a computer operating environment in which said graphic directional indicator was drawn to send as part of said electronic message (column 3, lines 18-31, column 6, lines 66-column 7, lines 10).

***Allowable Subject Matter***

5. Claims 6, 10-15, 21, 25-30, 36 and 40-45 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### CONCLUSION

6. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R 1.111(c) to consider these reference fully when responding to this action. The documents cited, Levy relates generally to knowledge management and messaging systems and more particularly means to integrate information acquisition with document creation. In email message shown in Fig. 2a, Levy illustrates that using a pointing device such as a mouse pointer a user draws or encircle a connection element 16 a piece of information identified. Thus, a *connection element 16* reads over the currently claimed "a graphic directional indicator"

7. Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and Figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (571) 272-4051. The Examiner can normally be reached on M-F from 10:30 – 7:00 ET. If attempts

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to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Kincaid, Kristine, can be reached at (571) 272-4063 Art Unit 2173 and 2174.

9. An inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

*Examiner Tadesse Hailu*  
*Art Unit 2173 – Operator Interface*  
*4/21/06*

  
**TADESSE HAILU**  
**Patent Examiner**